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REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)
4561/Reissue

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed

in patent number 6,129,047, granted 10/10/2000, and for which a

reissue patent is sought on the invention entitled _____

Susceptor For Vapor-Phase Growth Apparatus

the specification of which

☒ is attached hereto, and as amended in the attached Preliminary Amendment.

☐ was filed on _____ as reissue application number _____ / _____
and was amended on _____
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

The application as filed contained claims directed to an apparatus, i.e., a susceptor. Patentee believes that the method for growing an epitaxial layer using a susceptor as claimed in the attached new claims is also novel and patentable. Thus, less than could be claimed was claimed and the claims are sought to be broadened to encompass the claimed methods.

[Page 1 of 2]

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)

4561/Reissue

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Name(s) Registration Number

Mary J. Breiner

33,161

Theodore A. Breiner

32,103

C. Brandon Browning

44,570

Correspondence Address: Direct all communications about the application to:

☒ Customer Number

006858

Type Customer Number here

Place Customer Number Bar
Code Label here

| | | | | |
|---|---------------------------|-------------|----------------|----------------|
| <input checked="" type="checkbox"/> Firm or Individual Name | Breiner & Breiner, L.L.C. | | | |
| Address | 115 North Henry Street | | | |
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| City | Alexandria | State | VA | Zip 22320-0290 |
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| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed. | | | | |
| Full name of sole or first inventor (given name, family name) Osamu Nakamura | | | | |
| Inventor's signature | Osamu Nakamura | Date | June 25, 2002 | |
| Residence | Imari-shi, Saga, Japan | Citizenship | Japanese | |
| Mailing Address 371-3-404 Matsushima-cho, Imari-shi, Saga Prefecture, Japan | | | | |
| Full name of second joint inventor (given name, family name) | | | | |
| Inventor's signature | | Date | | |
| Residence | | Citizenship | | |
| Mailing Address | | | | |
| Full name of third joint inventor (given name, family name) | | | | |
| Inventor's signature | | Date | | |
| Residence | | Citizenship | | |
| Mailing Address | | | | |
| <input type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto. | | | | |

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|--|-------------------------------------|--|
| REISSUE APPLICATION: CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT | | Docket Number (Optional) 4561/Reissue |
| This is part of the application for a reissue patent based on the original patent identified below. | | |
| Name of Patentee(s) Osamu Nakamura | | |
| Patent Number 6,129,047 | Date Patent Issued October 10, 2000 | |
| Title of Invention Susceptor For Vapor-Phase Growth Apparatus | | |
| <p>1. <input checked="" type="checkbox"/> Filed herein is a statement under 37 CFR 3.73(b). (Form PTO/SB/96)</p> <p>2. <input type="checkbox"/> Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.</p> <p>One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".</p> <p>The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.</p> | | |
| <p>The assignee(s) owning an undivided interest in said original patent is/are <u>Sumitomo Metal Industries, Ltd.</u> and the assignee(s) consents to the accompanying application for reissue.</p> | | |
| Name of assignee/inventor (if not assigned) Sumitomo Metal Industries, Ltd. | | |
| Signature <i>Tetsuaki Tsuda</i> | Date <i>August 6, 2002</i> | |
| Typed or printed name and title of person signing for assignee (if assigned) <i>Tetsuaki Tsuda, General Manager of Intellectual Property Dept.</i> | | |

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Sumitomo Metal Industries, Ltd.

Application No./Patent No.: 6,129,047 Filed/Issue Date: October 10, 2000

Entitled: Susceptor For Vapor-Phase Growth Apparatus
Sumitomo Metal Industries, Ltd., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Osamu Nakamura To: Sumitomo Sitix Corporation
The document was recorded in the United States Patent and Trademark Office at
Reel 10877, Frame 737, or for which a copy thereof is attached.

2. From: Sumitomo Sitix Corp. To: Sumitomo Metal Industries, Ltd.
The document was recorded in the United States Patent and Trademark Office at
Reel 10095, Frame 190, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Sept. 26, 2002
Date

Tetsuaki Tsuda
Typed or printed name

Tetsuaki Tsuda
Signature

General Manager, Intellectual Property

Title